



U.S. Department  
of Transportation

400 Seventh Street, S.W.  
Washington, D.C. 20590

**Pipeline and  
Hazardous Materials  
Safety Administration**

**JUN 21 2005**

Mr. Henry A. Olson  
Director, Vessel Engineering  
Matson Navigation Company  
555 12th Street  
Oakland, California 94607

Dear Mr. Olson:

Enclosed please find your renewal for DOT-E 12592.

However, it should be noted that your request was not filed in a timely manner as prescribed in § 107.109(b), i.e., at least 60 days before the expiration date. Be advised that your exemption expired prior to this renewal. Should you continue to operate under an expired exemption you could be subject to a civil or criminal sanctions.

We recommend that you implement a system to ensure that all exemption renewal applications are filed in a timely manner. A timely filing will ensure that your exemption will not expire, while we are processing your request.

If you have any questions regarding this requirement, please contact Ms. Sherrie Nelson, of my staff, or myself at (202) 366-4535.

Sincerely,

Delmer F. Billings  
Director, Office of Hazardous  
Materials Exemptions and Approvals

Enclosure



U.S. Department  
of Transportation

Pipeline and  
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Safety Administration

400 Seventh Street, S.W.  
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**JUN 21 2005**

DOT-E 12592  
(SECOND REVISION)

EXPIRATION DATE: May 31, 2007

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Matson Navigation Company  
Oakland, CA
2. PURPOSE AND LIMITATION:
  - a. This exemption authorizes the transportation in commerce of motor vehicles with fuel in their tanks in a cargo hold of the vessel MATSONIA, without full compliance with § 176.905(h), which requires all electrical equipment in the hold, other than fixed explosion-proof lighting, to be disconnected from its power source at a location outside the hold. This exemption provides no relief from any regulation other than as specifically stated herein.
  - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 176.905(h) in that all electrical equipment in the hold, other than fixed explosion-proof lighting, must be disconnected from its power source at a location outside the hold, except as specified herein.

JUN 21 2005

5. BASIS: This exemption is based on the application of the Matson Navigation Company dated May 26, 2005, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Vehicle, flammable liquid powered	9	UN3166	n/a

7. SAFETY CONTROL MEASURES: Not applicable.
8. SPECIAL PROVISIONS: This exemption applies when motor vehicles are shipped as cargo in freight containers or vehicle racks in Hold number 3 of the vessel S.S. MATSONIA.
9. MODES OF TRANSPORTATION AUTHORIZED: Cargo vessel.
10. MODAL REQUIREMENTS:
- a. A current copy of this exemption must be carried aboard MATSONIA when transporting vehicles covered by this exemption.
  - b. In Hold number 3, all electrical reefer and convenience outlets must be permanently disconnected below the third deck. All remaining electrical equipment including lighting fixtures, cable, fittings, etc., up to but not including the third deck must be rated for service at least in a Class 1, Division 2 location.
  - c. The supply and exhaust fans for the mechanical ventilation system for Hold number 3 must be arranged such that supply is from the port and starboard areas over the transformers on the Third Deck level while exhaust is from the lower levels of the hold where heavier vapors (gasoline) could accumulate in the area of the tank top in the event of leakage of fuel from one or more vehicles.

JUN 21 2005

d. The mechanical ventilation system for Hold number 3 must be operated continuously while vehicles are on board under the terms of this exemption and achieve approximately 1.5 air changes per hour based on the volume of an empty hold.

e. In the event of failure of the ventilation system for the number 3 hold space, the space must be periodically monitored each watch to ensure that any build up of explosive vapors is detected. In the event of a fuel leak, bilge wells must be blocked to prevent entry into the bilge system, all electrical equipment in the hold (other than explosion-proof or intrinsically safe equipment) must be secured from outside the space and the spilled fuel must be removed.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

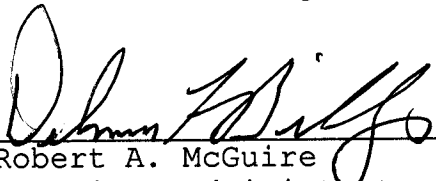
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this

exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:

*for*  
  
Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

**JUN 21 2005**

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: MP/sln